

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.7.1.1
Eastern Division**

Kraft Foods Global, Inc., et al.

Plaintiff,

v.

Case No.: 1:11-cv-08808

Honorable Steven C. Seeger

United Egg Producers, Inc., et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Monday, November 20, 2023:

MINUTE entry before the Honorable Steven C. Seeger: For the reasons explained on the record on November 17, 2023, Defendants' motion to strike improper closing arguments and request for curative instructions (Dckt. No. [543]) is hereby granted in part and denied in part. The Court agrees that a supplemental jury instruction is appropriate to make clear that the antitrust laws protect competition, not competitors. The Court denies the request to strike statements from the closing argument of Plaintiffs' counsel on November 16, 2023 that could be read to suggest otherwise. A curative instruction is a sufficient cure. Reminding the jury about the statement(s) in question could make matters worse, not better. It could draw undue attention to the issue, and might create confusion. The Court agrees that a supplemental instruction is appropriate to make clear that membership in a trade association is not a sufficient basis for antitrust liability. During jury instructions on November 17, the Court added Instruction Nos. 53 and 54 to address these two issues. Instruction No. 53 read: "The antitrust laws protect competition, not competitors. Harm to a single competitor, or a group of competitors, does not necessarily mean that there has been harm to competition." Instruction No. 54 read: "Membership in a trade association is not sufficient to show participation in a conspiracy." Mailed notice(jjr,)

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at www.ilnd.uscourts.gov.